

**Chapter 2.28****SPECIAL EVENTS****Sections:**

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**Section 2.28.010 Title.**

This chapter shall be known as the City of Riverside "Special Events Ordinance." (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994; Ord. 5287 § 1, 1985; prior code § 2.12 (part))

**Section 2.28.020 Purpose and intent.**

It is the purpose and intent of the Council to establish standards for the issuance of a permit for special events to use City streets, parks, facilities and services. It is recognized that these special events enhance the Riverside lifestyle and provide benefits to the citizens through the creation of unique venues for entertainment that are not normally provided as part of governmental services. Additionally, it is recognized that non-profit tax exempt organizations which benefit the community are central to the quality of life in Riverside and that they often develop through their special events the resources to provide essential services to the citizens of the City and County of Riverside. It is further intended to create a mechanism for cost recovery for special events without adversely impacting those events that contribute to the community. It is also the intent of the Council to protect the rights of its citizens to engage in protected free speech expression activities. Consequently, it is not the intent of this ordinance to regulate conduct, the sole or principal object of which is the expression, dissemination or communication by verbal, visual, literary or auditory means of opinion, views or ideas which are protected by the First Amendment of the United States Constitution or Article 1, Section 2 of the California Constitution. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994; prior code § 2.12 (part))

### **Section 2.28.030 Prohibited acts.**

It shall be unlawful for:

A. Any person, group, organization or entity to sponsor or conduct a special event, as defined herein, unless such special event permit as may be required under this chapter has been issued for the special event;

B. Any person, group, organization or entity to participate in any special event with the knowledge that the sponsor of the special event has not been issued the required permit;

C. The permittee or event sponsor to willfully violate the terms and conditions of the permit, or for any event participant, with the knowledge thereof, to willfully violate the terms and conditions of the permit;

D. To interfere with or disrupt a special event. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994; prior code § 2.12 (part))

### **Section 2.28.040 Definitions.**

As used in this chapter, the following terms and phrases shall have the indicated meanings:

A. Applicant. Any person, group, organization, or entity who seeks a special event permit from the Chief of Police to conduct or sponsor a special event governed by this chapter. An applicant must be eighteen years of age or older.

B. Athletic Event. An occasion in which a group of persons collectively engage in a sport or other form of physical exercise on a City street, sidewalk, alley, or other street right-of-way, which obstructs, delays, or interferes with the normal flow of pedestrian or vehicular traffic or does not comply with traffic laws and controls. Athletic events include mass participation sports such as marathons, running events, bicycle races or tours or spectator sports such as football, basketball, baseball games or golf tournaments.

C. Block Party. A festive gathering on a residential or commercial street or area requiring a closure of a street, or a portion thereof, to vehicular traffic and use of the street for the festivity.

D. Chief of Police. The Chief of Police or his authorized designee.

E. Event. An athletic event, block party or other special event.

F. Other Special Event. A street fair, circus, farmers market, street market, art and craft show, exhibition (i.e., car show, air show), carnival, festival, or indoor or outdoor musical concert or other social event or gathering which occurs on a City street, sidewalk, alley or other street right-of-way, City park, or City facilities and/or which:

1. Is likely to obstruct, delay, or interfere with the normal flow of pedestrian or vehicular traffic; or

2. Whose participants are likely not to comply with traffic laws and controls; or

3. Which involves the use or impacts upon other public property or facilities and the provision of City public safety services in response thereto.

G. Permit Application Fee. The fee to be paid by the special event permit applicant at the time the application is filed with the Chief of Police, pursuant to the application fee schedule established by resolution of the City Council.

H. Permittee. Any person or organization issued a special events permit by the Chief of Police. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994; prior code § 2.12 (part))

### **Section 2.28.050 Permit required.**

A. Any person intending to conduct or sponsor an event (as defined herein) in the City of Riverside shall first obtain a special event permit from the Chief of Police.

B. The Chief of Police is authorized to issue permits for special events occurring within the City limits of the City of Riverside pursuant to the standards established in this chapter. The

Chief of Police is authorized to coordinate the issuance of a permit for such events with other public agencies through whose jurisdiction or property such event or portion thereof shall occur and to issue a permit upon the concurrence of the other public agencies involved. The issuance of a permit shall confer upon the permittee the right to control and regulate concessions within the venue of the event in accordance with the terms and conditions set forth in the permit.

C. Exemptions. A permit shall not be required under this chapter for the below-listed activities, although the Chief of Police may issue a permit or similar certificate to an organizer who requests such document. An exempted activity is required to comply with general regulations governing public health and safety.

1. Activities conducted by a governmental agency acting within the scope of its authority.

2. Conduct, the sole or principal object of which is the expression, dissemination or communication by verbal, visual, literary or auditory means of opinion, views or ideas which are protected by the First Amendment of the United States Constitution or Article 1, Section 2 of the California Constitution.

3. Film making activities must comply with the permit procedures set forth in Riverside Municipal Code Sections 5.70.010--5.70.090.

4. Funeral processions by a licensed mortuary.

D. The procedures or requirements of this chapter shall not affect or supersede the provisions of law or the requirements for the issuance of fireworks, structural, electrical or other permits by City departments prescribed elsewhere in this code, when such permits are otherwise required because of a particular condition or requirement of the special event.

E. It shall be unlawful for any organizer to use in the title of an event the words "the City of Riverside" or "City of Riverside" or a facsimile of the seal of the City of Riverside, without written authorization from the Chief of Police. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994; Ord. 6035 § 1, 1993; prior code § 2.12 (part))

#### **Section 2.28.060      Application procedure.**

A. Application. Any person desiring to sponsor an event not exempted by Section 2.28.050(C) shall apply for a special event permit by filing a verified application with the Chief of Police on a form supplied by the Chief of Police. All applications shall be submitted not less than sixty calendar days nor more than twelve months before the event date.

B. Late Application. Upon a showing of good cause, the Chief of Police shall consider an application which is filed after the filing deadline if there is sufficient time to process and investigate the application and obtain police services for the event.

C. Application Fee. An application for a permit to conduct an event shall be accompanied by a non-refundable permit application fee in an amount established by resolution of the City Council. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994; prior code § 2.12 (part))

#### **Section 2.28.070      Contents of application form.**

The application for a special event permit shall set forth the following information:

A. The name, mailing address and daytime and evening telephone numbers of the applicant, and a certification that the applicant will be financially responsible for any fees and costs that may be imposed for the event.

B. The name, mailing address and daytime and evening telephone numbers of an alternative person who may be contacted if the applicant is unavailable.

C. The name, mailing address and daytime and evening telephone numbers of the person or persons chiefly responsible for the conduct of the special event.

D. If the event is proposed to be sponsored by an organization, the name, mailing address and telephone number of the organization and the authorized head of the organization.

If such event is designed to be held by, on behalf of, or for any organization other than the applicant, the applicant for such permit shall file a written communication from such organization authorizing the applicant to apply for such permit on its behalf, and certifying that it will be financially responsible for any costs or fees that may be imposed for the event.

E. A copy of the tax exemption letter issued for any applicant claiming a tax exempt non-profit status.

F. The name, address and telephone number of the person who will be present and in charge of the event on the day of the event.

G. The nature or purpose of the event.

H. The date and estimated starting and ending time of the event.

I. Location of the event, including its boundaries.

J. Estimated number of participants in the event.

K. The approximate number of persons, animals or vehicles which will constitute the special event, the kinds of animals, a description of the types of vehicles to be used, the number of bands and other musical units and the nature of any equipment to be utilized to produce sounds or noise during the special event.

L. Number and location of portable sanitation facilities, when appropriate, and other equipment or services necessary to conduct the event with due regard for participant and public health and safety.

M. The number of persons proposed or required to monitor or facilitate the special event and provide spectator or participant control and direction for events using City streets or facilities.

N. Provisions for first aid or emergency medical services, or both, where appropriate, based on event risk factors.

O. Insurance information, where appropriate.

P. Any special or unusual requirements that may be imposed or created by virtue of the proposed event activity.

Q. Any supplemental information which the Chief of Police shall find reasonably necessary, under the particular circumstances of the special event application, to determine whether to approve or conditionally approve a special event permit application pursuant to the provisions of this chapter. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994)

#### **Section 2.28.080      Action on application.**

The Chief of Police shall approve, conditionally approve, or deny an application on the grounds specified in Section 2.28.090. Such action shall be taken as expeditiously as possible and, in any case, (a) no later than fifteen business days after the Chief receives a completed application for any special event; or (b) no later than five business days after the Chief receives a completed application pursuant to Section 2.28.060(B) unless the applicant agrees, upon the request of the Chief of Police, to extend the time for making decision to a later date. If the application is denied or approved on conditions other than those accepted by the applicant, the Chief of Police shall inform the applicant of the grounds for denial in writing, or the reason for the conditions imposed, simultaneously with the notice of the decision, and shall further inform the applicant of his or her right of appeal. If the Chief of Police relied on information about the event other than that contained in the application, he shall inform the applicant of the additional information he considered. The applicant shall be notified of any permit conditions at the time the application is approved and of the applicant's right to appeal the permit conditions. If the Chief of Police determines that good cause to consider a late application does not exist under Section 2.28.060(B), within forty-eight hours of receipt of a late application, the Chief shall inform the applicant of the reason for his determination regarding lack of good cause and of the applicant's right of appeal. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994)

**Section 2.28.090      Grounds for denial of application for a special event permit--  
Imposition of conditions.**

A. Considerations. The Chief of Police shall deny an application for a special event permit only if he determines from a consideration of the application and other pertinent information that one or more of the following exists:

1. The information contained in the application, or supplemental information requested from the applicant, is found to be materially false or misleading.

2. The applicant fails to complete the application form after having been notified of the additional information or documents requested.

3. The Chief of Police has earlier received an application to hold another event at the same time and place requested by the applicant, or so close in time and place as to cause undue traffic congestion, or the Police Department is unable to meet the needs for police services for both events. Except for events sponsored by the City, wherever possible, priority shall be given to permit issuance to local non-profit tax exempt organizations operating in and providing services to the citizens of the City or County of Riverside.

4. The time, route or size of the event is reasonably likely to substantially interrupt the safe and orderly movement of traffic contiguous to the event site or route, or disrupt the use of a street at a time when it is usually subject to great traffic congestion.

5. The concentration of persons, animals and vehicles at the site of the event, or the assembly and disbanding areas around an event, is reasonably likely to prevent proper police, fire or ambulance services to areas contiguous to the event.

6. The size of the event is reasonably likely to require diversion of so great a number of police officers of the City to ensure that participants stay within the boundaries or route of the event, or to protect participants in the event, as to prevent normal protection to the rest of the City of Riverside.

7. The location of the event is reasonably likely to substantially interfere with any construction or maintenance work scheduled to take place upon or along the City streets, or a previously granted encroachment permit.

8. The event is reasonably likely to occur at a time when a school is in session, at a route or location adjacent to the school, and the noise created by the activities of the event would substantially disrupt the educational activities of the school.

9. The event will violate public health or safety law or fail to conform with the requirements of law or duly established Council policy.

10. The applicant demonstrates an inability or unwillingness to conduct an event pursuant to the terms and conditions of this chapter or has failed to conduct a previously authorized or exempt event in accordance with law or the terms of a permit, or both.

B. Conditional Approvals. When the grounds for denial of an application for a permit specified in subdivisions (A)(3) through (A)(10) of this section can be corrected by altering the date, time, duration, route or location of the event, the Chief of Police, instead of denying the application, shall conditionally approve the application pursuant to Section 2.28.100. The conditions imposed shall provide for only such modification of the applicant's proposed event as are necessary to achieve compliance with subdivisions (A)(3) through (A)(10) of this section, and shall be consistent with rules and regulations established by the Chief of Police and approved by a resolution of the City Council. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994)

**Section 2.28.100      Permit conditions.**

The Chief of Police may condition the issuance of a special events permit by imposing reasonable requirements which are necessary to protect the safety of persons and property, and to provide for adequate control of traffic. Such conditions may include, but need not be limited to the following:

- A. Alteration of the date, time, route or location of the event proposed on the event application;
- B. Conditions concerning the area of assembly and disbanding of events;
- C. Conditions concerning accommodation of pedestrian or vehicular traffic, including restricting the event to only a portion of a street;
- D. Requirements for use of traffic cones or barricades;
- E. Requirements for provision of first aid, sanitary or emergency facilities;
- F. Requirements for use of event monitors and some method for providing notice of permit conditions to event participants;
- G. Restrictions on the number and type of vehicles, animals, or structures at the event and inspection and approval of structures for fire safety by the Riverside Fire Department;
- H. Compliance with animal protection ordinances and laws;
- I. Requirements for use of garbage containers, cleanup and restoration of City property;
- J. Restrictions on use of amplified sound;
- K. An application for a special event permit to conduct a block party may be conditioned on notice and approval by fifty percent of the owners or tenants of dwellings or businesses along the affected street(s);
- L. Compliance with any relevant ordinance or law in obtaining any legally required permit or license;
- M. Requirements for special security assignments. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994)

#### **Section 2.28.110 Permit issuance.**

The Chief of Police shall issue the special events permit once the application has been approved, the applicant has agreed in writing to comply with the terms and conditions of the permit, and all of the requirements of this chapter have been satisfied. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994)

#### **Section 2.28.120 Appeal procedure.**

- A. City Council. The applicant shall have the right to appeal:
  - 1. Denial of a permit;
  - 2. A permit condition;
  - 3. A determination that good cause to consider a late application does not exist;
  - 4. A determination by the City that the applicant's insurance policy does not comply with the requirements specified in Section 2.28.140;
  - 5. The cleanup deposit requirement as specified in Section 2.28.150;
  - 6. The special security assignment and security plan requirement as specified in Section 2.28.160; and
  - 7. The cost recovery requirement as specified in Section 2.28.170.

A notice of appeal stating the grounds of appeal with specificity shall be filed with the City Clerk within ten calendar days after mailing or personal delivery of a notice of the action to be appealed. The appeal must be filed no later than Tuesday, twelve noon, in order to qualify to be placed on the City Council's next regular meeting agenda. The City Council shall hear the applicant or a designated representative and receive any relevant information and documents. The decision of the City Council shall be final.

B. City Manager. If there is insufficient time for a timely appeal to be heard by the City Council prior to the date on which the event is scheduled, the applicant may, at his or her option, request that the City Clerk schedule the appeal before the City Manager. The City Manager or his designee shall hold a hearing no later than two business days after the filing of the appeal, and will render his decision no later than one business day after hearing the appeal.

If the appeal is heard before the City Manager, the City Manager's decision shall be final.

C. Fees. A fee in an amount established by resolution of the City Council shall be paid at the time of the filing of the notice of appeal. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994)

#### **Section 2.28.130 Indemnification agreement.**

Prior to the issuance of a special event permit, the permit applicant or the authorized officer of the sponsoring organization must sign an agreement to reimburse the City of Riverside for any costs incurred by it in repairing damage to City property occurring in connection with the permitted event and proximately caused by the actions of the permittee or sponsoring organization, its officers, employees, or agents or any person who was under the permittee's or sponsoring organization's control insofar as permitted by law. The agreement shall also provide that the permittee or sponsoring organization shall defend the City against, and indemnify and hold the City harmless from, any liability to any persons resulting from any damage or injury occurring in connection with the permitted event proximately caused by the actions of the permittee or sponsoring organization, its officers, employees or agents, or any person who is under the permittee's or sponsoring organization's control insofar as permitted by law. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994)

#### **Section 2.28.140 Insurance.**

##### **A. Liability Insurance.**

1. The applicant or sponsor of an event must possess or obtain public liability insurance to protect against loss from liability imposed by law for damages on account of bodily injury or property damage arising from the event. Such insurance shall name on the policy or by endorsement as additional insureds the City of Riverside, its officers, employees and agents. Insurance coverage must be maintained for the duration of the event. Coverage shall include, but is not limited to, a comprehensive general liability insurance policy issued by an insurance carrier approved by the City's Risk Manager with minimum limits of one million dollars combined single limit bodily injury and property damage for each occurrence.

2. If food or nonalcoholic beverages are sold or served at the event, the policy must also include an endorsement for products liability in an amount not less than one million dollars. If alcoholic beverages are sold or served at the event, the policy must also include an endorsement for liquor liability in an amount not less than one million dollars.

3. If the event involves the use of licensed motorized vehicles, the policy must also include an endorsement for automobile liability in an amount not less than one million dollars.

4. At any time when the insurance coverage required under this section may be purchased by a permit applicant through a City held insurance policy (if available), such coverage shall be made available to all permit applicants at the rates stated in the policy premium schedule.

B. Certificates of Insurance. A copy of the policy or a certificate of insurance along with all necessary endorsements must be filed with the City's Risk Manager no less than ten business days before the date of the event unless the City's Risk Manager for good cause waives the filing deadline. The special event permit shall not be issued by the Chief of Police until after the insurance policy or certificate of insurance along with the necessary endorsements have been filed by the applicant or sponsor and approved by the City's Risk Manager.

C. Waiver of Insurance Requirements. The insurance requirements of Subsections A and B may be waived by the Chief of Police for special events if the applicant or an officer of the sponsoring organization establishes to the satisfaction of the Chief of Police that the cost of obtaining insurance is financially prohibitive or it is impossible to obtain insurance coverage. If the Chief of Police determines that a waiver of the insurance requirement is appropriate

hereunder, the City of Riverside may, at its discretion, require the applicant or sponsor to apply for insurance coverage for the event under a policy selected or maintained by the City of Riverside, in which case the applicant or sponsor shall provide any information necessary to apply for such insurance and shall pay, upon the request of the City, all or a portion of the insurance premium attributable to the event. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994)

**Section 2.28.150      Cleanup deposits for special events.**

A. Cleanup Deposit. The applicant or sponsor of an event shall be required to provide a cleanup deposit prior to the issuance of a special event permit. The cleanup deposit shall be in the amount established in a cleanup fee schedule for special events adopted by resolution of the City Council.

B. Refund. The cleanup deposit shall be returned after the event if the area used for the permitted event has been cleaned and restored to the same condition as existed prior to the event. If the actual cost for cleanup is less than the estimated cost, the applicant will be refunded the difference. Should the amount of the bill exceed the cleanup deposit, the difference shall become due and payable to the City upon the applicant's receipt of the bill.

C. The cleanup deposit requirement may be waived by the Chief of Police if the applicant or an officer of the sponsoring organization establishes to the satisfaction of the Chief of Police that such requirement is not necessary.

D. Appeals. If the applicant or sponsor disputes the cleanup charge, he must appeal to the City Manager within five calendar days after receipt of the bill or the charge shall be deemed reasonable. The decision of the City Manager shall be final. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994)

**Section 2.28.160      Special security assignments and submission of security plan.**

The applicant or sponsor of an event shall submit a plan setting forth the proposed security measures to be taken to protect the health, safety and welfare of the participants in the special event. The plan shall be submitted concurrently with the permit application to the Chief of Police who may require the alteration of the plan to provide greater security measures including but not limited to the hiring of private security personnel and/or City police officers at the applicant's expense as a condition of permit issuance. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994)

**Section 2.28.170      Cost recovery.**

A. Except as provided herein or when funded by Council resolution or ordinance, the Chief of Police shall charge for the cost of City personnel involved in the permit processing, event traffic control, police and fire safety or other facility or event personnel, based on the approved cost recovery schedule set by the City Council in the resolution governing fees and charges, or the actual cost of such personnel if not referenced in the resolution. Actual charges may also be made for the use of City equipment and other non-personnel expense for any special event. The Chief of Police shall require prepayment of such fees for a special event or a reasonable estimate thereof at the time the completed application is approved, unless (1) the Chief of Police for a good cause extends the filing deadline or time for payment as prescribed herein or (2) the City has waived expense reimbursement as prescribed herein.

B. The issuance of the permit pursuant to this chapter does not obligate or require the Chief of Police to provide City services, equipment or personnel in support of an event.

C. The City's right to seek reimbursement may be waived by the City Council under the following conditions:

1. A public purpose will be served and the event provides a benefit to the citizens of the City and County of Riverside.



2. The nature of the event is such that the permittee does not have the ability to recover costs through direct event generated income.

Factors to be considered in determining whether a public purpose is served shall include the fact that the event is organized and conducted by a tax exempt non-profit organization which operates from or provides the services within the City or County of Riverside, that it provides a benefit to the general public, that it does not exclude participation by the general public (notwithstanding an admission or participation fee) and that the City services provided will result in improved crowd or event control and general public safety.

If after issuance of the permit but prior to the occurrence of the event, the Chief of Police determines that there is a need to provide additional police services, equipment or personnel in direct support of the special event, the additional cost may be borne by the permittee if so determined by the City Council after notice and hearing. Failure to pay the additional cost may be grounds for revocation of the permit and/or grounds for refusal to issue future permits. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994)

#### **Section 2.28.180      Delegation.**

The Chief of Police may, in his discretion, delegate any or all of the functions hereunder, subject to all of the conditions of this chapter. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994)

#### **Section 2.28.190      Violations.**

Any person who violates any penal provisions of Section 2.28.030 is guilty of a misdemeanor. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994)

#### **Section 2.28.200      Applicability.**

The provisions of this chapter shall apply to completed applications submitted on or after the effective date of this ordinance. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994)

#### **Section 2.28.210      Constitutionality and severability.**

If any portion of this chapter is for any reason held to be invalid, such decision shall not affect the remaining portions of this chapter. The City Council hereby declares that it would have adopted the chapter or any portion thereof, irrespective of the fact that one or more portions be declared invalid, and to the extent such portions can be given effect without the invalid provisions or portions thereof shall be severable. (Ord. 6404 § 1, 1997; Ord. 6102 § 1, 1994)